

Apr 06, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SIMEON O., on behalf of T.O.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 4:19-CV-5003-RMP

ORDER ADOPTING REPORT AND
RECOMMENDATION

BEFORE THE COURT is the Report and Recommendation issued by
Magistrate Judge John T. Rodgers on February 18, 2020, ECF No. 24,
recommending Plaintiff Simeon O.'s¹ Motion for Summary Judgment on behalf of
T.O., ECF No. 14, be granted in part and Defendant Commissioner of Social
Security's Motion, ECF No. 21, be denied. No objection was filed.

¹ In the interest of protecting Plaintiff's privacy, the Court will use Plaintiff's first name and last initial, and, subsequently, Plaintiff's first name only, throughout this decision.

1 After reviewing the Report and Recommendation and relevant authorities,
2 the Court finds that the Magistrate Judge's findings are correct. Therefore, the
3 Court adopts the Report and Recommendation in its entirety.

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. The Report and Recommendation, **ECF No. 24**, is **ADOPTED** in
6 its entirety.

7 2. Plaintiff's Motion for Summary Judgment, **ECF No. 11**, is
8 **GRANTED IN PART.**

9 3. Defendant's Motion for Summary Judgment, **ECF No. 12**, is
10 **DENIED.**

11 4. Judgment shall be entered in favor of Plaintiff.

12 5. The ALJ's decision is **REVERSED**. This matter is **REMANDED**
13 to the Commissioner of Social Security for further proceedings
14 consistent with the Report and Recommendation, pursuant to
15 sentence four of 42 U.S.C. § 405(g).

16 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
17 Order, provide copies to counsel, and **close this case.**

18 **DATED** April 6, 2020.

19
20 s/ Rosanna Malouf Peterson
21 ROSANNA MALOUF PETERSON
United States District Judge